

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: Case No. 24-30760
Chapter 7
Minnesota Implant Center, P.L.L.C.,
Debtor.

**NOTICE OF HEARING, VERIFIED MOTION FOR TURNOVER
TO THE TRUSTEE OF PROPERTY OF THE ESTATE AND
MEMORANDUM OF LAW IN SUPPORT OF MOTION**

TO: The debtor and other entities specified in the applicable Federal Rules of Bankruptcy Procedure and Local Rule 9013-2.

1. Nauni Manty, the chapter 7 trustee of the bankruptcy estate of Minnesota Implant Center, P.L.L.C., moves the court for turnover of estate property and gives notice of hearing.

2. The court will hold a hearing on this motion on **Thursday, May 2, 2024, at 10:30 a.m.** in Courtroom 8W, at the Diana E. Murphy United States Courthouse, 300 South Fourth Street, in Minneapolis, Minnesota 55415.

3. Any response to this motion must be filed and served not later than **Thursday, April 25, 2024**, which is seven days before the time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY SERVED AND FILED, THE COURT MAY ENTER AN ORDER GRANTING THE REQUESTED RELIEF WITHOUT A HEARING.**

4. This court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this case was filed on March 22, 2024. This case is now pending in this court.

5. This motion arises under 11 U.S.C. §§ 521(a), 541(a) and 542(a). This motion is filed pursuant to Bankruptcy Rule 9014 and Local Rules 9013-1 and 9013-2.

6. The debtor did business under the name Woodbury Dental Arts, P.A.

7. Dr. Marko Kamel is the principal of the debtor.

8. The debtor, Woodbury Dental Arts and Dr. Kamel own insurance policies with Fortress Insurance Company and the Hartford.

9. Pursuant to the debtor's bank statements at Wells Fargo Bank, the debtor was making payments to the Hartford.

10. The trustee seeks turnover of the insurance policies with Fortress Insurance Company and the Hartford, so she can analyze for property of the estate and potential claims of the estate.

MEMORANDUM OF LAW

The law pertinent to this motion is found in 11 U.S.C. §§ 541(a) and 542(a). 11 U.S.C. §541(a) provides:

The commencement of a case under § 301, 302 or 303 of this title creates an estate. Such estate is comprised of all of the following property, wherever located and by whomever held:

- (1) Except as provided in subsections (b) and (c)(2) of this section, all legal or equitable interests of the debtor in property as of the commencement of this case.

11 U.S.C. §542(a) provides:

- (a) Except as provided in subsections (c) or (d) of this section, an entity other than a custodian, in possession, custody, or control, during the case, of property that the trustee may use, sell, or lease under Section 363 of this title, or that the debtor may exempt under section 522 of this title, shall deliver to the trustee, and account for, such property or the value of such property, unless such property is of inconsequential value or benefit to the estate.

11 U.S.C. §521(a) provides the debtor shall:

(4) ...surrender to the trustee all property of the estate and any recorded information, including books, documents, records, and papers, relating to property of the estate.

The trustee requests that the court order Fortress Insurance Company and the Hartford to turnover copies of all insurance policies of the debtor, Woodbury Dental Arts and Dr. Kamel. These documents are records that must be surrender to the trustee under 11 U.S.C. § 521(a) and involve property that might belong to the bankruptcy estate under 11 U.S.C. § 541.

WHEREFORE, the trustee requests that this court issue an order that Fortress Insurance Company and the Hartford Financial Services Group, Inc. turn over copies of all insurance policies of the debtor, Woodbury Dental Arts, P.A. and Dr. Marko Kamel within ten days of a court order granting this motion.

Dated: April 12, 2024

MANTY & ASSOCIATES, P.A.

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